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October 6, 2014

Headquarters
U.S. Army Corps of Engineers
CECW-P (SA) (ATTN: Theodore Brown)
7701 Telegraph Road
Alexandria, VA 22315-3860

SUBJECT: Final Environmental Impact Statement for Central Everglades Planning Project - CEQ# 20140215

Dear Mr. Bush,

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced Final Environmental Impact Statement (FEIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The Jacksonville District of the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD) propose implementation of the Central Everglades Planning Project (CEPP). The Comprehensive Everglades Restoration Plan (CERP was authorized in the 2000 Water Resources Development Act (WRDA) as a framework for restoring the south Florida ecosystem while providing for other water related needs of the region. Several components of CERP have been implemented (Indian River Lagoon-South, Picayune Strand, and Site 1 Impoundment and Melaleuca and Other Exotic Plants Biological Controls.

The purpose of the Central Everglades Planning Project (CEPP) is to assess federal and non-federal interest in implementing components of CERP to further restore or improve the Everglades ecosystem (including wetlands, uplands, and associated estuaries), water quality, water supply, and recreation while protecting cultural and archeological resources and values. USACE proposes to accomplish this by redirecting approximately 210,000 acre-feet of additional water annually from Lake Okeechobee to the historical southerly flow.

The plan formulation strategy for CEPP consisted of multiple formulation phases that followed the natural southerly flow of water from Lake Okeechobee through the Everglades ecosystem to Florida Bay. The strategy involves the formulation of interdependent management measures and components that serve to restore the central portions of the Everglades including Water Conservation Area (WCA) 3 and the Everglades National Park (ENP), while improving the northern and southern estuary ecosystems and increasing water supply for municipal and agricultural users. The plan formulation process used data and findings developed in previous plan formulation efforts including CERP planning and restoration initiatives, such as the

Everglades Agricultural Area (EAA) Reservoir project, WCA 3 Decompartmentalization and Sheetflow Enhancement Project (Decomp), and the ENP Seepage Management Project. CEPP used a sequential analytical screening process that became more comprehensive and detailed as plan formulation progressed.

During CEPP's formulation, USACE identified 4 alternatives (Alternatives 1-4) and a No Action alternative. All build alternatives (Alternatives 1, 2, 3 and 4) proposed re-directing flow through a series of flow equalization basins (FEBs) that will provide storage capacity and attenuation of high flows. Water quality improvement would be achieved through delivery to existing permitted stormwater treatment areas (STAs). Each build alternative consists of one or more of the following: re-routing water through the water conservation areas (WCAs), removing portions of levees, constructing structures to improve flows through Tamiami Trail, constructing seepage barriers, constructing pump stations and spreader canals. Each build alternative relies on varying combinations of these components to accomplish the goal of improving historic southerly flows. Alternative 1 maximizes the use of existing infrastructure while providing moderate ecosystem benefits. Alternative 2 would increase the passive inflow and outflow structures of WCA 3B over Alternative 1. Alternative 3 would increase the passive inflow structure capacity over Alternative 2 and incorporate pump stations to move water out of WCA 3B. Alternative 4 builds upon Alternative 2's infrastructure with the addition of the Blue-Shanty Flow levee and degrading of the L-29 levee within the flow way in lieu of the additional outflow structure on L-29.

USACE has identified Alternative 4 as the Recommended Plan and further refined Alternative 4 and identified it as Alternative 4R2. In the FEIS, the USACE concludes that Alternative 4R2 provides the greatest overall benefits with the least cost per habitat unit, provides the greatest ecological connectivity and longest uninterrupted flow-way by removal of the L-29 levee and provides the greatest benefits to ENP. Major components of Alternative 4R2 include: construction of the A-2 FEB and integration with the A-1 FEB, refinement of Lake Okeechobee operations, removal of portions of L-4 levee, L-29, L-28, L-67, L-67C, removal of approximately 6 miles of Tamiami Trail, backfill of Miami Canal, construction of 8.5 mile levee in WCA 3B and connection of L67A to L-29.

Overall, EPA supports the selection of Alternative 4R2 as the Recommended Plan. EPA appreciates the USACE's collaborative, multi-agency effort in formulating the Recommend Plan. EPA has some remaining concerns with the current project's schedule for the implementation of A-2 FEB and statements in the EIS concerning water quality.

Wetlands:

EPA notes that project sequencing is critical to assuring that the Everglades receive water that meets applicable water quality standards. In particular, projects involving the L-4 levee degradation, L-5 canal improvements and L-6 diversion are planned for years 1-3. EPA is concerned that these projects will provide the ability to increase flow and discharge water (such as STA bypass events) directly into the northern marsh of WCA3A, regardless of the quality of that water. It is important that this water be fully treated by the Restoration Strategies projects prior to discharge into the Everglades. As previously stated in our FEIS Comment Letter, EPA

requests to be involved with development of Operations Manuals for CEPP implementation and to be a member of the interagency Operations/Adaptive Management teams in order assist with addressing these water quality issues. The A-2 project, currently scheduled for year 19, is an essential component of treating flows greater than those in the Future Without (FWO) condition and Restoration Strategies prior to discharge into northern WCA3.

EPA appreciates the expanded discussion regarding construction sequencing as outlined in 6.7.1, "Implementation and Construction Sequencing"; however, A-2 FEB will be constructed in the New Waters Project Partnership Agreement (PPA) (the last phase) and year 19 of overall project construction. As previously noted in our DEIS Comment Letter (November 1, 2013), EPA continues to strongly recommend that USACE consider moving the construction of A-2 FEB forward in the schedule because most of the hydrological benefits of CEPP (averaging 210,000 acre-ft/year) will be realized upon construction of A-2 FEB. The A-2 FEB will provide increased water storage (averaging 210,000 acre ft/year) and will have more far reaching benefits to the estuaries, and to the Everglades. It is EPA's view that expediting the construction of this important component of the overall project would be in the best interest of the environment and the public.

Water Quality:

EPA appreciates the USACE addressing most of our water quality concerns discussed in our FEIS comment letter (November 1, 2013). However, in USACE's response to comments (Appendix C.3, page C3-444, EPA-22), USACE states "State and Federal water quality experts believe that there is a significant risk of future violations of SRS criteria under existing conditions." EPA disagrees with this statement. It is EPA's understanding that the Appendix A levels for total phosphorus have not been exceeded and recent analysis has shown that water quality entering northeast SRS has shown improvement as a result of Everglades restoration that has been implemented to date. EPA believes water quality should continue to improve, but also is supportive of the proposed monitoring and adaptive management approach to ensure there are no exceedances of the water quality standards.

On page ES-1, the Corps states that despite progress "ecological conditions and functions within the central portion of the Everglades ridge and slough community continue to decline due to lack of sufficient quantities of freshwater flow into the central Everglades and timing and distribution problems." However, EPA notes that the latest water quality monitoring data indicates that there is a trend toward improving water quality in the Central Everglades. EPA believes that water quality in the Central Everglades will continue to improve.

Tribal Consultation:

The FEIS discusses ongoing tribal consultation. EPA encourages continued consultation with the Seminole Tribe of Florida and Miccosukee Tribe of Indians of Florida at all levels of decision-making. The EPA works closely with both Tribes on Everglades matters and is committed to working with other federal partners to prioritize the Tribes' water quality and water management concerns.

EPA is encouraged that the USACE and the SFWMD will use a monitoring and adaptive management approach in implementing this project. EPA is committed to provide continuing technical assistance to USACE to address these issues as the project moves forward.

We appreciate the opportunity to review the proposed action and request our concerns be addressed in either USACE's Chief's Report or the Record of Decision. Please contact me at 404-562-9611 or my staff, Jamie Higgins at (404) 562-9681, if you want to discuss our comments.

Sincerely,

Heinz J. Mueller, Chief
NEPA Program Office
Office of Environmental Accountability